

UNITED STATES ARMY CHAPLAIN SCHOOL

THE MILITARY CHAPLAINCY  
AND  
CHURCH STATE RELATIONSHIPS

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The Chaplain, like few others in the military, lives in two worlds: the world of the military where he must prove his professional mettle side-by-side with other officers, and the world of the church. There seems to be two paths that are trod in dealing with the military chaplain.

It is the temptation of some endorsing denominations either to leave the chaplain to his own devices or to consider him as no different from any other clergyman. He is a clergyman, but he functions within a set of special circumstances.

The temptation of the military is to incorporate the chaplain so totally into the military structure that he becomes a military clergyman or worse yet, merely an officer with a specialty. Both of these sets of temptations must be resisted. The church has nothing to gain from a chaplain who is ignorant of what his professional commitment involves and who, while he plays the pure priest, leaves the onerous routines of military life to his colleagues. The military has nothing to gain from a military church or a military theology.

The military chaplaincy is an unique institution: Chaplains, as representatives of religious institutions, are not expected to take part in actual combat or be direct agents of death. This is a continuance of

a long tradition which recognizes that the Christian vocation forbids killing. This tradition, which goes back to the pre-Constantinian church where all members of the church refused participation in war.

"As late as 1940, when the Burke-Wadsworth conscription bill was pending in congress, it was the strong and concerted action of the Roman Catholic hierarchy which led to deferment from military service of all priests and students for the ministry. So, today, the Chaplain is not drafted but serves only as a volunteer."<sup>1</sup>

In writing any commentary on the chaplaincy, it is possible to write in general of an institution only if we recognize that there are exceptions to every generalization and that not all chaplains would agree either official military or denominational evaluations of their roles. The military chaplaincy is neither the most important nor the most vexing problem in church-state relations. It is however, related directly to the most serious social problem confronting organized religion today. Briefly stated, this is the attitude of the church and the ministry to a state policy of preparation to wage nuclear war which could result in the destruction of civilization and the genetic distortion of the human race.

The chaplaincy is an integral part of the military program in at least three respects.

1. Chaplains more daily in the military atmosphere. Since they receive their pay, rank and orders from the military and have infrequent association with their civilian

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<sup>1</sup>John M. Swomley, Jr., Student Lectures, St. Paul Seminary, 1961.

church colleagues, many come to feel a great loyalty to their branch of the service. This imbalance of relationship can hinder the chaplain in his perspective as a Chaplain clergyman.

2. Chaplains also are used to build morale through the Human-Self-Development Program, formerly known as Character Guidance. The Chaplain is often used to teach military citizenship which is a command program. The chaplain is asked to speak on Duty, Honor and Country where he must deal with military attitudes and thoughts not as a clergyman but as a military instructor.
3. The Chaplaincy seems to soften the impact of military harshness, brutality and immorality, which parents and churchmen fear will unduly affect the youth from their homes and churches. The fact that a representative of the church is present in the military seems to be reassuring. Can we then say the chaplaincy is part of a cloak of respectability for a military system which prepares men in hand-to-hand combat and the latest mass destruction weapons?

Every clergyman must face certain critical questions before becoming a military chaplain. The man who fails to face these questions honestly and prayerfully may face the problems of moral compromise and not be prepared for the battle.

1. There is the problem of religious freedom. Is the Chaplain technically free in his military setting to preach critically on world issues if so moved? Will he preach the full gospel including love for enemies and to raise questions about the evils of war? If technically free, is he in a situation conducive to such an exercise of his freedom?

2. There is the situation of special privilege. While the civilian pastor, priest, rabbi enjoys a special place in community life, he does not face the situation of the enlisted man-officer barrier found

in the military. What does a private feel when he must salute a chaplain as an officer?

3. There is the problem of government subsidy. Can the military indefinitely provide chapels, religious education facilities, salaries, etc. without:

- (1) Providing a future pattern for government subsidy of religion such as some churches have accepted or advocated in other countries? Is this pattern of government subsidy and employment in the field of medicine which exists in the military and veterans administration not becoming a major factor in the silent and growing popular acceptance of some form of socialized medicine?
- (2) Entering the field of educating personnel for the chaplaincy to a greater degree than it does today (after a minister enters the military)?

4. There is the problem of militarizing the church. Do chaplains today have other duties than the simple exercise of their Christian ministry? Can chaplains serve the Army without sharing in some of its military functions and purposes? In a society where many in the civilian church interpret work for peace differently from those in the military whose emphasis is "Military power is Peace power", is it not inevitable that the military approach may affect the chaplain's Christian ministry?

5. The following excerpts from the January 3, 1957 New York Times point up still another problem:

"Lutheran leaders were warned today against what was described as a tendency within the armed forces to develop a 'military church.'

"The warning was voiced by the Rev. Dr. Engebret O. Midboe, head of the Bureau of Service to Military Personnel of the National Lutheran Council.

"Dr. Midboe took particular exception to what is known in the armed forces as the 'general Protestant devotional service.' This, he charged, has little if any connection with the doctrine of the civilian denomination with which the chaplain may be affiliated.

"In some instances, he noted, 'one would not dare deviate from what has already been set down for certain fear that there would be administrative consequences.'

"Dr. Midboe told the council that a newly-arrived chaplain finds himself confronted with a hymnal published jointly by the three services. At the same time, the Lutheran official declared, it has 'almost become a law' that chaplains make use of the Component List of Religious Facilities prepared by a committee of the Joint Chaplain Board.

"Some chaplains, Dr. Midboe noted, are faced by command criticism on the content of their sermons.

"In a day in which churches have been singing their Te Deums to God for His Holy Spirit's moving in the hearts of men to bring about a desire for church unity,' Dr. Midboe commented 'there is at the same time taking place a separation between the service church and the civilian denomination.

"It is not suggested that anyone is maliciously encouraging this schism. It is rather a general drift away from the denominational moorings into a type of religious community which seems to operate with the least tension in the military services."<sup>2</sup>

The problem Dr. Midboe raised is not only whether Caesar should unify the church but whether it should be done on Caesar's terms and for his reasons.

6. There is also the problem of other pressures. One chaplain wrote in the October 1943 Infantry Journal as follows:

"In most cases the chaplain is having to walk an embarrassingly thin line. Like everyone else, he prefers to be liked, and being quartered with the officers, it is not only expedient but good policy to stay on good terms with them, regardless of whatever wide disagreement there may be as

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<sup>2</sup>New York Times, January 31, 1957.

to language, morals, and general conduct. Yet the good fellow, the congenial gentleman, the broad-minded and easy-going chaplain and the one with a good case of religion should have been born twins. My experience was that the better you got along with the officers, the fewer you got to the church."<sup>3</sup>

The problems of Church-State relations has not gone unchallenged in the courts of our land. At this point, I would like to consider some Supreme Court considerations.

In its several decisions on church-state issues, the Supreme Court has, en passant, taken cognizance of the military chaplaincy. In all such instances, the Court adhered to a policy of benign, but not very explicit, defense of the status quo.

To Messrs. Justices Goldberg and Harlan it appears "clear . . . from the opinions in past cases that the Court would recognize the propriety of providing military chaplains." "A single obvious example should suffice to make the point. Spending federal funds to employ chaplains for the Armed Forces might be said to violate the establishment clause. Yet a lonely soldier stationed at some faraway outpost could surely complain that a government which did not provide him with the opportunity for pastoral guidance was affirmatively prohibiting the free exercise of his religion."<sup>4</sup>

It seems as if these key statements reflect a somewhat arbitrary and less than thoroughly considered evaluation of an essentially unresolved complex. The legal propriety of the military chaplaincy may be "clear"

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<sup>3</sup>The Infantry Journal, October, 1948.

<sup>4</sup>School District of Abington Township, Pa., supra note 1.

to some of the Honorable Justices; it is most assuredly not clear to some of the leading American Protestant churchmen. "No churches in America can regard with complacency such a connection between church and state," stated one of the most prominent Protestant journals some 25 years ago, and "the entangling bond between church and state must be terminated--- consequences must be taken."<sup>5</sup> One of the largest American Protestant churches adopted at its 175th General Assembly of May 1963 a strong resolution on the very same topic:

"The United Presbyterian Church recognized that the present practice whereby its ministers serve as military chaplains paid by the state, raises serious questions and represents an unresolved problem in the relation between church-state." <sup>6</sup>

The Wisconsin Evangelical Lutheran Synod, which numbers around 350,000 members, has consistently refused to recommend its ordained ministers for the military chaplaincy. The Synod holds that such chaplaincy places its pastors where they "would not be free to obey the direction fo Christ its Head alone, but would also in a measure be subject to the direction of the Government," and continues "To close an eye to Christ in order to carry out the Government's direction, to sacrifice faithfulness to Christ for loyalty to the Government's intentions: these Government-fostered tendencies in the chaplaincy give birth to a religious practice that is displeasing to Christ and harmful to his Church."<sup>7</sup>

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<sup>5</sup>Supra note 3, at 1568-69.

<sup>6</sup>The United Presbyterian Church in the U.S.A., Relations Between Church and State in the U.S.A. (1963).

<sup>7</sup>The Conference of Presidents of the Evangelical Lutheran Joint Synod of Wisconsin and Other States, The Chaplaincy Question 2, 3 (Milwaukee, 1954).



This church group for reasons of conscience and confession refuses to participate in the military chaplaincy as presently constituted. Its objection proceeds on the basis of its understanding of undivided and undiluted adherence to the establishment clause of the U.S. Constitution, and to its own interpretation of the Christian gospels.<sup>8</sup>

However, the Synod anticipates the time when it would be authorized to call its own ministers at its own expense, and without religious direction or regulation on the Government's part to serve the Synod's adherents in the armed forces.<sup>9</sup>

Mr. Justice Brennan, concurring in the majority opinion of the Schempp case, postulated that: ". . . Hostility, not neutrality would characterize the refusal to provide chaplains and places of worship for . . . soldiers cut off by the State from all civilian opportunities for public communion."<sup>10</sup> Taken in conjunction with Mr. Justice Goldberg's previously cited opinion concerning the "lonely soldier stationed at some lonely outpost," a dispassionate observer might well conclude that this choice of descriptive language is considerably more significant for its exclusionary allusions than for its inclusive commitments. One might well perceive an implication that the government need not necessarily provide chapels and chaplains to those of its armed personnel who are

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<sup>8</sup>Ibid. See also Romans 16:17, 18, Matthew 7:15, among other biblical passages.

<sup>9</sup>Supra note 32, at 8.

<sup>10</sup>School District of Abington Township, PA., supra note 1.

not cut off from civilian church facilities. Then, it may properly be adduced, the federal government is within the limits of the establishment clause only where chaplains and chapels are provided to the military during actual combat, simulated combat conditions (maneuvers), or at locations inaccessible or not provided for by civilian ministers of religion and houses of worship.

Yet, the overwhelming majority of U.S. Armed Forces personnel are located in areas relatively easily accessible to churches of a private character, both within and without the U.S. Indeed, governmental chapels do not hesitate to publicly advertise their services of worship and quite candidly invite the civilian public to attend.<sup>11</sup> In this connection, an officer of the American Civil Liberties Union of New Jersey has protested the activities of Air Force chaplains at McGuire Air Force Base, who permitted non-members of the Armed Forces to attend Sunday school classes and religious services which were conducted under U.S. Air Force auspices. It was deemed by the American Civil Liberties Union of New Jersey that no instrumentality of the federal government engage itself in the teaching of religion, whereas chaplain-employees of the federal government are in fact so engaged. As a result of this concern, an intemperate attack on "those who would reduce the United States to a godless society" was launched by U.S. Congressman Frank J. Becker.<sup>12</sup>

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<sup>11</sup>The Washington Post, February 15, 1964 (Washington, D.C.) (Church Advertisements).

<sup>12</sup>American Civil Liberties Union, New York City (interoffice mimeographed communication dated October 3, 1963). See also 109 Cong. Rec. A 5883 (1963).

Attendance of military personnel at religious services is entirely a matter of voluntary decision. There are, to be sure, instances of trespass, but these are generally dealt with on an administrative level. One particularly gross infraction of this policy appears in the area of paratroop "mass jumps" in honor of a patron saint within the Roman Catholic understanding of that term.<sup>13</sup>

Until a 1972 court decision, the more serious are the compulsory chapel-attendance policies of all U.S. academies. At the U.S. Military Academy West Point, chapel attendance is considered a necessary and integral part of the military and cultural training of a prospective officer. Therefore, attendance constitutes a stringent requirement. The Academy maintains that attendance at West Point is entirely voluntary, and that the candidate seeking an appointment thereto, does so on the understanding that he will be required to participate in chapel services.

Policy at the U.S. Air Force Academy, Colorado, makes chapel attendance obligatory for all cadets except those of the senior class.

At the U.S. Naval Academy, Annapolis, all midshipmen are required to attend religious services, but they may journey to churches other than the Naval Academy Chapel.<sup>14</sup>

It may frankly be doubted that Academy policy could stand the test of constitutionality. Apparently, the federal government's power is involved in order to enforce church attendance. Apart from the

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<sup>13</sup>Church and State, Sept. 1963, pp. 13,15.

<sup>14</sup>Letters to the author from: Chief of Staff of the U.S. Military Academy, October 23, 1963; The Command Chaplain of the U.S. Air Force Academy, October 22, 1963; and the Assistant Public Information Officer of the U.S. Naval Academy, October 24, 1963.

deleterious spiritual consequences which any policy which compels church attendance, for whatever benign reason, can but impart, such policy very plainly involves the state in the actual enforcement of religion.

Admittedly, enrollment of a cadet at a U.S. Academy proceeds out of his personal volition. In no sense, however, can there be construed out of such volition, some kind of overall authorization tantamount to circumventing the establishment clause. Such can be no more defensible than regulations which would require the voluntary patients of U.S. Veteran's Administration hospitals to attend religious services, on the grounds that attendance thereof is of healing value. By the same token, the volitional philosophy propounded by U.S. Academies could logically be extended to apply to all members of the armed forces who serve as professional military and naval personnel, thus in a wholly voluntary capacity.

Hence, constitutional reasoning would tend to support policies contrary to those now in effect at the military and naval academies of the United States.

"The word 'religion' is not really defined in the Constitution. . . the precise point of the inquiry is, what is the religious freedom which has been guaranteed?"<sup>15</sup> This question, which was posed in one of the earlier Supreme Court cases concerning the Church-State issue, applies

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<sup>15</sup>Reynolds, supra note 11.

equally well to the chaplaincy debate. The establishment clause has been the subject of successive interpretations, but the unitary precept of the first amendment's religious aspect has remained this: Government should act neither to benefit nor to burden religion.<sup>16</sup> For the military forces of the United States, one school of thought applauds the existing system of the military chaplaincy, directed by an ordained clergyman who serves as Chief of Chaplains, and who coordinates activities with representatives of American churches. Insofar as the "General Commission on Chaplains and Armed Forces Personnel" is concerned, such a system neither involves the state in religious exercises nor in favoring religion. In fact the Commission regards the system as a genuine case of accommodation, which fails to fall under the purview of the first amendment's strictures.<sup>17</sup> Without deprecating the demonstrated heroism, dedication to duty, or broad religious tolerance of the military chaplaincy, the Commission's statement appears to make of necessity the mother of virtue. Undeniably, a chaplaincy operating outside the realm of governmental employment is bound to create serious administrative problems. Thus, military posts and stations might be expected to be besieged by a host of religious societies, each one of them vying for the support of Armed Services' personnel. Attendant disorder, and possible breaches of military security might well be occasioned. Further, the peculiar nature of the military establishment, maneuver exercises, and

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<sup>16</sup>Friedrich, Right, Liberties, Freedoms--A Reappraisal, 57 Am. Pol. Sci. Rev. 871. (1963).

<sup>17</sup>Religious News Service, October 18, 1963.

preparation for actual combat do represent serious obstacles to a wholly voluntary religious ministrations. Granted also, that the present, orderly and systematized chaplaincy establishment has much to commend itself from pragmatic aspects: a method of apportioning chaplains' vacancies on the basis of nominal troop adherence to the particular religious grouping, a well-functioning procurement and training schedule, satisfactory tenure, promotion and retirement incentives. However, much as the chaplaincy fulfills many of the needs within the framework of spiritual, moral, creedal and personal guidance of the military, under the provisions of the establishment clause, the military chaplaincy, indeed any governmental chaplaincy, cannot be regarded with equanimity.

Yet, that school of thought which opposes the existence of a governmentally employed or sponsored chaplaincy in toto, might experience difficulties in reconciling its stated position with that part of the first amendment which denies Congress the right to prohibit the free exercise of religion. Not that there be any implication of deliberate interference by government in the exercise of "religion", but the exigencies of the military service do create numerous situations where personnel would be unable to comply with certain religious precepts. Clearly, the American soldier of Roman Catholic faith, who, by official military orders, has been posted to some isolated station, would be in no position to partake of Communion, or participate in the religious obligation of the Mass. Nor could the American soldier of Jewish faith well celebrate the Passover or the Day of Atonement without some sort of direct ministrations.

There are suggestions that the governmental employment of chaplains be authorized exclusively where military or naval personnel are demonstrably unable to attend civilian churches or avail themselves of religious counseling. Though possibly quite difficult in implementation, and suggestive of fine and precise differentiations which would of necessity have to be established, such a plan might well appear as a tentative solution of the dilemma.

In any discussion of the chaplaincy, it is well to ask what are its values from the standpoint of the church. Presumably, the church is not eager to serve as an auxiliary to the war system. Its chief interests are (or should be) a ministry to men in or out of the military. The rationale for the chaplaincy is then simply it has worked so well for us in the past and it is the most convenient way for the church to minister to those in the military context.

What is needed is the continuation and improvement of the present delicately balanced system in which the needs of the military situation and the strategies of the denominations are both accommodated.

What must be resisted in the military is an effort to create a monolithic religious structure with every activity determined by and executed through technical channels. Both general and denominational requirements will be satisfactorily met if chaplains are permitted the most ample freedoms in the carrying out of their religious responsibilities. The format of a general Protestant service cannot be legislated, for every chaplain, in the measure that he has a character, will endow the service with his own or his denomination's particular flavor. Such a

flavor will be acceptable to the vast majority of worshipers as evidence of the enriching diversity of American faiths.

What this implies, of course, is that each chaplain be allowed to function as far as possible within his own denominational assumptions. A Methodist, Baptist, Lutheran, or Episcopalian chaplain will serve his entire command better if he remains himself. Let us admit that the services foster a healthy ecumenism but such an ecumenism does not and should not imply a general religious posture so vague as to minister to no one.

The implication of such a stance is significant. It means that the services must leave specifically theological training to the churches and not seek to do this job for the churches. There is no little unrest about mandatory conferences for chaplains sponsored by the services, the content of which is clearly scriptural or theological. This job should be done by the churches.

Which brings us to the crying need within the services for chaplain refresher training. The services, for the good of the men serving them, should provide opportunities for periodic (6 or 7 year intervals) theological training in denominational seminaries for a period of 90 to 120 days. Elaborate career courses for chaplains in military administration, counseling, character training, etc., now exist in the service, but no need is greater than the spiritual and theological refreshment of clergymen in the military. Denominational and military leadership must work together to assure a balance of religious and technical fitness in chaplains by assuring that schooling for both aptitudes be provided. Only in this way will the chaplain remain a spiritual man as responsive to



the mandates of God as to the next or the ultimate echelon of supervision.<sup>18</sup>

"Perhaps the future of the chaplaincy will rest upon the ability of its spokesmen to disengage themselves from dependency upon cultural moods. They can do this best by freeing themselves from having to be apologists for or attackers of the military system. One could compare the military chaplaincy to suburban pastorates. If a minister defends the status quo in affluent, self-centered suburbia, he is in trouble. If he announces like all prophets of God, he is ministering to people where they are, he is in a better circumstance. He can judge and he can heal. The military is not a single thing, any more than suburbia is. It is heterogeneous and pluralist. But it is made up of people who, whether by choice or against their will, are deprived of the context of a conventional ministry. The chaplain has chosen to serve them where they are."<sup>19</sup>

In the final analysis, there is probably no immediate solution to the problem of the chaplaincy as a Church-State problem, unless the church makes up its mind where it stands on the issues of war and nuclear war particularly.

The Church can take any of three positions:

1. It can encourage preparations for nuclear as well as conventional war. In this event, it will probably continue to endorse a military chaplaincy on the same basis as today.
2. It can take a silent or neutral position.
3. It can oppose nuclear or conventional war or both.

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<sup>18</sup>Reflections on the Chaplaincy, Karl A. Olsson, The Chaplain Dec., 1967.

<sup>19</sup>Lecture: Dr. Martin E. Marty: "The Army Chaplain", 1971.

In the event of number two or three, the Church is more likely to re-examine its position and practice with respect to the chaplaincy. In this re-examination, if it takes place, some attention should be given to

- (a) how the Roman Catholic Church and others ministered to men in the Army during the pre-conscription era in Europe as well as subsequently, and
- (b) how the Quakers and the Church of the Brethern ministered to their men in the Army without accepting the military chaplaincy.

Finally, there should be an objective study of the attitudes of men in the military and those discharged within a five year period, toward the chaplaincy, the military worship style and religious opportunities.

Styles of ministry are changing rapidly and will probably continue to do so. The more effective chaplains of the future may very well be not the rough-and-tumble out-drinking, out-dirty storying type of World War II folklore, but spiritually sensitive though masculine types. They may be good listeners, good pastors, men who convey their own symbioses of doubt and faith to the people they serve. So much of the shape of the future of the military chaplaincy is out of the hands of men in the vocation; however, that here as in few other areas, the sane counsel seems to be: wait and see --- and keep heads clear for thinking.

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